

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
No. 5:10-CV-52-BO

STEVEN WAYNE THOMAS,)
 Plaintiff,)
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CLINT BABB and C.B. ESTES,)
 Defendants.)

ORDER

This cause comes before the Court on plaintiff's motion for entry of a temporary restraining order pursuant to Rule 65 of the Federal Rules of Civil Procedure. A hearing was held on the matter before the undersigned on May 21, 2015, at Raleigh, North Carolina at which counsel for plaintiff and defendants appeared.


All parties being properly before the Court and the Court having subject matter jurisdiction over this action, and it appearing that Sheriff Tracy Carter and members of the Lee County Sheriff's Office, many of whom are former defendants in this matter, are obstructing or otherwise interfering with plaintiff's efforts to serve subpoenas on potential witnesses in the upcoming trial, and it further appearing that immediate, irreparable injury, loss, or damage will result in the absence of Court intervention, the Court finds that entry of a temporary restraining order is appropriate. Plaintiff's motion [DE 167] is therefore GRANTED.

It is hereby ORDERED that Sheriff Tracy Carter and members of the Lee County Sheriff's Office are RESTRAINED and ENJOINED from interfering in any way with plaintiff's efforts to serve subpoenas to any witness listed in the pretrial order filed in conjunction with the trial in this matter.

It is further ORDERED that this temporary restraining order shall expire fourteen days from its date of entry, subject to an application for extension by plaintiff upon a showing of necessity or with consent of defendants.

As security for the granting of this temporary restraining order, plaintiff shall post a bond of \$1.00 to the Clerk of Court.

SO ORDERED, this 20th day of May, 2015 at 4:00 p.m.


TERRENCE W. BOYLE
UNITED STATES DISTRICT JUDGE